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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,791	07/13/2001	Mingui Sun	DB000846-001	1794

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EXAMINER

COUSO, JOSE L

ART UNIT PAPER NUMBER

2621

DATE MAILED: 08/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/904,791

Applicant(s)

SUN ET AL.

Examiner

Jose L. Couso

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/17/01</u> . | 6) <input type="checkbox"/> Other: ____. |

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-5 and 7-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Dekel et al. (U.S. Patent No. 6,314,452).

With regard to claim 1, Dekel describes uploading the size of a remote monitor to a host (see figure 7, element 703 and refer for example to column 15, lines 27-28); calculating a display size for the non-textual data on the remote monitor (refer for example to column 16, lines 3-4); producing information capable of rendering the non-textual data at a plurality of resolutions for the calculated size and transmitting the information (see figure 1, elements 120 and 130 and refer for example to column 15, lines 27-28); and rendering the non-textual data at a resolution based on the amount of received information (refer for example to column 16, lines 4-9).

As to claim 2, Dekel describes wherein the information includes wavelet coefficients (see for example figure 5).

In regard to claim 3, Dekel describes uploading the parameters of a remote output device to a host (see figure 7, element 703 and refer for example to column 15, lines 27-28); selecting wavelet coefficients of the data sequence for transmission according to uploaded parameters (see figure 1, element 120 and refer for example to column 15, lines 28-31); and progressively transmitting coefficients until the parameter of the output device are met (refer for example to column 16, lines 16-34).

With regard to claim 4, Dekel describes additionally comprising the steps of transmitting additional coefficients when the size of the remote window is increased (refer for example to column 17, lines 51-56).

As to claim 5, Dekel describes wherein the data sequence includes one of a one-dimensional, two dimensional and three-dimensional images, music, speech, and video (as clearly illustrated in figure 3).

With regard to claim 7, Dekel describes additionally comprising the steps of examining the importance of coefficients and selecting for transmission the most important coefficients based on the resolution of the remote window (refer for example to column 17, line 63 through column 18, line 53).

As to claim 8, Dekel describes wherein the coefficients are capable of adapting to arbitrary remote window dimensions (as discussed for example in column 17, lines 51-62).

In regard to claim 9, Dekel describes additionally comprising the step of progressively receiving the transmitted coefficients and reconstructing the data sequence (refer for example to column 16, lines 16-28).

With regard to claim 10, Dekel describes additionally comprising the step of recoding the indices of the coefficients (see for example figure 7, element 704 which records the image parameters in memory, the image parameters in Dekel's system correspond to applicant's claimed indices).

As to claim 11, Dekel describes wherein the step of recording includes the step of recording at both the host and remote sites (see for example figure 1, elements 111 and 122 which record the image in memory).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dekel et al. (U.S. Patent No. 6,314,452) in view of Bajaj et al. (U.S. Patent No. 6,438,266).

Dekel discloses a system and method for transmitting a digital image over a communication network which does not expressly disclose wherein the data sequence includes one of a three-dimensional image, the method additionally comprising the step of decomposing the three-dimensional image into a plurality of wavelet coefficients of two-dimensional perspectives.

Bajaj discloses a system for encoding images of 3-D objects with improved rendering time and transmission processes which describes wherein the data sequence includes one of a three-dimensional image, the method additionally comprising the step of decomposing the three-dimensional image into a plurality of wavelet coefficients of two-dimensional perspectives (refer for example to column , lines).

Dekel and Bajaj are combinable because they are both from the area of transmitting encoded digital images.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide for using Bajaj's teachings of the data sequence includes one of a three-dimensional image, the method additionally comprising the step of decomposing the three-dimensional image into a plurality of wavelet coefficients of two-dimensional perspectives in Dekel.

The suggestion/motivation for doing so would have been that of providing for increased data transmission rate by efficiently coding the data as suggested by Bajaj (refer for example to column 4, lines 32-55), which fails to patentably distinguish over the prior art absent some novel and unexpected result.

Therefore, it would have been obvious to combine Bajaj with Dekel to obtain the invention as specified in claim 6.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2621

Migdal et al., Yap et al., Kurtze et al., Lei et al. and Zeinch disclose systems similar to applicant's claimed invention.

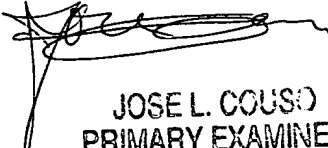
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jose L. Couso whose telephone number is (703) 305-4774. The examiner can normally be reached on Monday through Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Boudreau, can be reached on (703) 305-4706. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8576.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jlc
July 26, 2004


JOSE L. COUSO
PRIMARY EXAMINER